

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tsuneji Suzuki <i>et al.</i>)	Confirmation No. 7720
)	
Application No. 10/049,666)	Group Art Unit: 1612
)	
Filed: February 15, 2002)	Examiner: Gollamudi S. Kishore
)	
For: Pharmaceutical Agent Comprising a)	Dated: August 11, 2009
Benzamide Derivative as Active Ingredient)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.97(b)

Pursuant to 37 C.F.R. 1.56 and 1.97(b), Applicants request that the Examiner consider this Information Disclosure Statement and the documents listed on the attached Form PTO-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced Application. Accordingly, Applicants do not believe a fee is due for filing this Information Disclosure Statement.

Documents aa and ab were two of the three documents cited in an Office Action dated April 30, 2009 which issued in corresponding Brazilian Patent Application No. P1 0013283-7. The third document, EP 847 992, has previously been submitted in an Information Disclosure Statement for the Examiner's consideration. A copy of each of the cited documents aa and ab, the Office Action, and their respective English translations are attached hereto. Applicants respectfully request that the Examiner initial and return the PTO-1449 form, indicating that the information has been considered and made of record herein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **August 11, 2009**
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Respectfully submitted
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